GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Animal Husbandry Department – Regularization of services of Sri S.Venkati, Casual Labour against existing vacancy of Office subordinate in Srikakulam District – Orders Issued.

ANIMAL HUSBNADRY, DAIRY DEVELOPMENT & FISHERIES (AH.II) DEPARTMENT

G.O.RT.No. 192 Dated: 15-06-2018.

Read the following:

1. G.O.Ms.No.212, Finance (PC.III) Department, Dt.22.4.1994.
2. Hon'ble High Court orders in WP.No.11108/1999, Dt.30.04.2004.
3. From the Director, Animal Husbandry Dept., Lr.no.16512/BV/B.4/2008, Dt.24.07.2008.
   (Award passed by the Industrial Tribunal-cum-Labour Court, Visakhapatnam in ID No.305/1995 dated 17-3-1999)
4. Hon'ble High Court orders in W.A No.1504/2004, Dt: 02.08.2011.
5. Govt.Memo.No.4662/AH.II (2)/2008, dated: 04.01.2012.
6. From the JD (AH), Srikakulam Lr.Roc.No.4490/B/1999, dated: 31-05- 2017
7. Govt. Memo No.4662/AH-II (2)/2008, dated.23-8-2017.
8. From the JD (AH), Srikakulam, Lr.Roc.No.4490/B/1999, dated.19-03-2018.

***

ORDER:

In the reference 3rd read above, the Director of Animal Husbandry has informed that Sri S.Venkati S/o Appisetti, waterman for the fodder Plot established at Srikakulam under Indo Swiss Project Visakhapatnam was removed after closure of the Indo Swiss Project. The individual has filed a case in the Industrial Tribunal cum Labour Court vide ID No.305 of 1995 and that the Labour Court has passed an Award directing the management (Joint Director (AH), Srikakulam) for reinstatement of the workman within one month from the notification of the said award with full back wages and continuity of service beside paying him an amount Rs.500/- by way of costs. The Joint Director (AH), Srikakulam filed Writ Petition No.11108 of 1999 in the A.P. High Court against the aforesaid Award.

2. In the reference 2nd read above the Hon'ble High Court in its orders in W.P.No. 11108 of1999 dated 30-4-2004 while dismissing the WP has observed that:

"The retrenchment was rightly declared as illegal and the management is directed to reinstate the workman into service within one month with full back wages and continuity of service, besides an amount of Rs.500/- by way of costs; and accordingly the High court held that I find no infirmity in the application of law or exercise of discussion by the Tribunal warranting interference in this Writ Petition. The Writ Petition is without merits and is accordingly dismissed".

3. Thereupon, the Joint Director (AH) Srikakulam has filed Writ Appeal No.1504/2004 against the said orders. In the reference 4th read above, the Hon'ble Court was dismissed the W.A by confirming the orders passed by the Learned Single Judge in W.P. No.11108 of 1999, Dated: 30-4-2004.

4. Accordingly, in the reference 5th read above, Government have permitted the Director of Animal Husbandry to reinstate the individual and implement the

(p.t.o)

Industrial Tribunal–cum-Labour Court orders in I.D.No.305/1995 dated 17.03.1999. Government have also issued orders to the Director of Animal Husbandry for payment of wages to Sri S.Venkati, Casual Labour from time to time.

5. In the reference 6th read above, the Joint Director (AH), Srikakulam has submitted proposals requesting the Government to regularize the services of Sri S.Venkati, daily wage worker who has been appointed prior to 25.11.1993 against the clear vacancy of Office Subordinate post which fallen vacant in the Office of the Joint Director Srikakulam District to implement the court orders and that the individual has fulfilled the conditions as laid down in G.O.Ms.No.212, Fin. (PC.III) Department
Dt. 22.04.1994.

6. Government have examined the matter and after careful examination, hereby accord permission to the Director of Animal Husbandry, Andhra Pradesh, Vijayawada to regularize the services of the individual i.e., S. Venkati S/o Appisetti, Casual Labour against the vacancy of office subordinate which has arisen due to promotion in the month of September, 2017, in terms of G.O.Ms.No.212, Finance (PC.III) Department, Dated: 22.04.1994 with prospective effect i.e. from the date of issue of orders subject to condition that the said vacancy is clear, regular and continued from time to time till date and no senior eligible person is overlooked/omitted and also subject to following rule of reservation and possessing requisite educational qualification by the individual.

7. The Director of Animal Husbandry, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

8. This order issues with the concurrence of Finance Department vide U.O.Note.No.32026/22/2017 S.O (HR.III)-Finance 182822)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Animal Husbandry, A.P., Vijayawada
Copy to:
The Joint Director, Animal Husbandry Dept., Srikakulam District.
Sri S.Venkati, S/o Appisetti, through Director of Animal Husbandry, A.P., Vijayawada.
SF/SC.

//FORWARDED BY: ORDER//

SECTION OFFICER